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Issued November 20, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
North Central DivisionPROCEDURE FOR THE NOTIFICATION OF FARM ALLOTMENTS, YIELDS, AND  
PRODUCTIVITY INDEXES, AND THE CONSIDERATION OF APPEALS  
IN CONNECTION WITH THE 1940 FARM PROGRAMPART I. --PROCEDURE FOR THE NOTIFICATION OF FARM ALLOTMENTS, YIELDS,  
AND PRODUCTIVITY INDEXES

Producers shall be notified of the allotments, yields, productivity index, and goal for the farm on NCR-412, "Official Notice of 1940 Farm Acreage Allotments, Normal Yields, and Productivity Index." The original of NCR-412 and a sufficient number of carbon copies thereof shall be prepared so that one notice may be forwarded to each person who has an interest in the crops on the farm and one retained in the county office. Forward the original of NCR-412 to the owner of the farm, a copy to each other person who will have an interest in the crops on the farm in 1940, and file one copy in the farm file.

The wheat allotment and yield will be included on NCR-412, although notice of such allotment and yield may previously have been furnished. Any restoration land goal or cotton or commercial vegetable allotment and the appropriate name will be entered in the blank line provided therefor.

Care should be taken to see that the date entered in the appropriate space is the date when such NCR-412 will be mailed and that the information entered on the Form NCR-412 agrees with the data on the 1940 listing sheets.

## PART II. -- PROCEDURE FOR HANDLING APPEALS

Nature of Appeals.--Any person who has an interest in the 1940 crops grown on a farm as owner, operator, or sharecropper may appeal from any recommendation or determination of the county committee made with respect to such farm affecting (1) any farm allotment, (2) normal yield, (3) productivity index, (4) restoration land goal (5) his eligibility to file an application for payment, (6) measurement, (7) the division of payments, or (8) any other matter affecting the right to or the amount of his payment with respect to such farm. If the appellant is dissatisfied with the decision of the county committee with respect to his appeal, he may appeal to the State committee. If the appellant is dissatisfied with the decision of the State committee, he may request the Director of the North Central Division to review the decision of the State committee.

Manner of Making Appeals.--No appeal shall be considered unless it is made in writing and is signed by the person making the appeal or his authorized agent. Appeals to the county committee relating to farm allotments, yields, productivity indexes, or restoration land goals must be filed within 15 days after the date the "Official Notice of 1940 Farm Acreage Allotments, Normal Yields, and Productivity Index" is issued to the appellant by the county committee. Appeals relating to any other recommendation or determination by the county committee must be filed within 15 days after notice of such recommendation or determination is forwarded to or made available to the appellant by the county committee. Any appeal from the decision of the county committee must be made to the State committee



within 15 days after notice of its decision is issued by the county committee. Any requests for review of the decision of the State committee must be made to the North Central Division within 15 days after the notice of the decision of the State committee has been issued to the appellant.

Each person who has filed an appeal with the county committee shall be notified by the county committee in writing of the time, date, and place for the consideration of his appeal, in order that he may have an opportunity to be present and be heard during the consideration of his appeal. All appeals shall be considered by the county committee in the county office or at some other appropriate place in the county designated by the county committee.

Section I.--Appeals in Connection with Any Soil-Depleting Allotment, Yield, Productivity Index, or Restoration Land Goal

Consideration of Appeals by County Committee.--During the "appeal period" county committees should make every effort to inform farmers of the procedure used in determining allotments, normal yields, productivity indexes, and restoration land goals, in order that they will have a better understanding of the farm program. Frequently farmers come into the county office believing their allotments, yields, productivity indexes, or goals are not satisfactory, but upon review of the data used in determining allotments, yields, productivity indexes, and goals, and an explanation of the procedure followed, they are satisfied that they have been given proper consideration. This effort on the part of the county committee will result in fewer written appeals and greater satisfaction among farmers.

Original data for all farms for which an appeal was filed will be relisted on applicable Forms NCR-409, NCR-409C, NCR-409P, NCR-409T, and NCR-409W, leaving the first and alternate lines blank. Such listing sheets will be marked "Appeal Cases." Entries for farms for which any allotment, yield, productivity index, or goal is revised will be corrected by striking through the affected entries on the appeal listing sheet and entering the correct entry in the line above such stricken entry.

No appeal will be considered on a wheat allotment or wheat yield of which the appellant was notified on NCR-412W at an earlier date.

Determinations with respect to appeals shall be made on the basis of individual merit. The county committee will approve appeals only in those cases in which the examination of the data shows error in:

1. Data used;
2. Committee determinations as provided in the procedure outlined in NCR-410 and related instructions;
3. Application of the official procedure outlined in NCR-410 and related instructions.

When the investigation of an appellant's claim includes a visit to the farm, the person representing the county committee will make a reasonable attempt to interview the appellant.



Before the appellant is notified of the decision reached by the county committee, a representative of the State committee will review the appeal with the county committee to determine that their recommendations are in accordance with the applicable procedure in NCR-410 and related instructions.

The county committee shall notify each appellant of its decision by individual letter within 15 days after receipt of the written appeal. In each case in which a change is made in any allotment, yield, productivity index, or goal as a result of the appeal, the county committee shall include with such letter an NCR-412 marked "Revised." Such letter shall set forth a description of the applicable procedure relating to the determination and the reasons for approval or disapproval of the appeal, and that, if the appellant is dissatisfied with the decision of the county committee, he may appeal to the State committee within 15 days. The letter should state specifically that the State committee uses the same set of facts and follows the same instructions as the county committee in reviewing appeals and can reverse the decision of the county committee only in case errors are found in the facts used or the determination made by the county committee. Immediately after the county committee notifies appellants of its decision, the county committee will forward to the State office the listing sheets marked "Appeal Cases", together with their recommendations in each case and reasons therefor. There shall be included copies of the appeal to the county committee and the reply thereto.

After the county committee recommendations on such appeals have been approved or disapproved by the State committee, an NCR-412 marked "Revised" shall be mailed by the county committee to each appellant whose allotment, yield productivity index, or goal has been changed by a State committee determination. A letter should accompany the revised NCR-412 stating why the allotment, yield, productivity index, or goal, as approved by the county committee, has been changed by the State committee and pointing out that the appellant has the right to appeal to the State committee for a further review of the case.

Consideration of Appeals by the State Committee.--The State committee will examine the listing sheets for "Appeal Cases" and, after the time limit for the filing of appeals by appellants dissatisfied with the decision of the county committee has expired, the State committee will notify the county committee in writing of its approval or disapproval of the action taken by the county committee on all appeal cases except cases in which the appellant has appealed to the State committee from the decision of the county committee.

The State committee will review all cases submitted to it by appellants appealing from the action taken on an appeal by the county committee. When it is deemed necessary, the State committee may cause an investigation to be made with respect to the case for the purpose of obtaining additional evidence upon which to base its decision. When the investigation of an appellant's claim includes a visit to the farm, the person representing the State committee shall make a reasonable attempt to interview the appellant.

The State committee shall notify the appellant of its decision with respect to these cases within 30 days after the receipt of the appeal. Such notice shall include a statement that the appellant has the right to appeal within 15 days to the Director of the North Central Division for further consideration, but that



the North Central Division will depart from the decision of the State committee only in cases of errors in data used, errors in following the approved procedure, or errors in determinations made by the county committee or State committee. A copy of the letter from the State committee to the appellant shall be forwarded to the county committee with instructions that in the case of an appeal granted by the State committee a newly executed NCR-412 marked "Revised", showing the official determinations with respect to all allotments, normal yields, productivity index, and restoration land goal, shall be mailed to the appellant.

For each appeal approved or granted by the State committee with respect to any farm allotment, normal yield, productivity index, or restoration land goal, the revised figures shall be entered on the original listing sheet by the State committee in the appropriate column.

If the appellant is dissatisfied with the decision of the State committee and appeals his case to the Director of the North Central Division within 15 days, the State committee shall forward upon request, to the Director of the North Central Division one copy of each of the following data:

1. Appeal to the county committee
2. County committee's reply to the appellant
3. Appeal to the State committee
4. State committee's reply to the appellant
5. Report of any representative of the State committee who has investigated the case
6. Any other pertinent correspondence or records
7. "Report of Appeal" upon which has been copied data from the appeal listing sheet and a report of the decision of the county committee and the State committee

Consideration of Appeals by the North Central Division.--The North Central Division will review the data submitted for each appeal case received and if necessary will request the State committee for additional data or for a special investigation by a representative of the State committee. The State committee will be advised concerning the appeal after the case has been reviewed by the North Central Division.

Section II.--Appeals in Connection with Eligibility to File an Application for Payment, Division of Payment, Measurements, or Any Other Matter Affecting the Right to or the Amount of Payment

Any appeal other than that in connection with data on NCR-412 will be handled in a manner similar to that outlined in Section I of this procedure. A record of all pertinent facts considered in connection with such appeals shall be prepared and filed in the county office. A copy of this record shall be made available to the State office for use in connection with each case in which the appellant is dissatisfied with the decision of the county committee and appeals to the State committee. The State committee will review only those appeals submitted to it by appellants who are dissatisfied with the action taken on an appeal by the county committee.



### PART III.--CORRECTION OF ALLOTMENTS, YIELDS, AND PRODUCTIVITY INDEXES

If a farmer writes to the county committee or calls at the county office and raises a question concerning the allotments, yields, productivity index, or goal determined for his farm, and if upon review of the data used in determining the allotments, yields, productivity index, or goal for his farm, an error is discovered, such case may be handled as a correction.

Corrections may be made in the allotments, yields, productivity index, or goal if it is determined that the error consists of one of the following types:

1. Error in computation;
2. Material error in transferring the data to the 1940 listing sheet;
3. Material error in cropland or crop history on the 1940 listing sheet because of failure to include a tract of land which the county committee determines should have been included as cropland in accordance with instructions included in NCR-401;
4. Material error in the cropland on the 1940 listing sheet because of an error in estimating the size of fields classified as cropland on farms not previously measured.

Any errors in cropland described under Items 3 and 4 shall not be corrected after May 1, 1940.

Entries for any farm for which an allotment, yield, productivity index, or goal is corrected within the appeal period, will be listed on the appeal listing sheet and handled in the same manner as appeals, except that the word "Corrected" shall be written in an available blank column.

Every effort should be made to have all corrections of allotments, yields, productivity indexes, or goals made before the 15-day period for filing appeals has elapsed.

Any error in an allotment, yield, productivity index, or goal, brought to the attention of the county committee after the appeal listing sheet has been forwarded to the State committee, will be corrected upon approval by the State committee. The county committee will prepare a memorandum, setting forth all the facts concerning the case. Such memorandum must be approved or disapproved by the farmer fieldman before being transmitted to the State committee. In the case of corrections which are approved by the State committee, the revised figures for the farm shall be entered on the original listing sheet in the appropriate columns.





UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
NORTH CENTRAL DIVISION

PROCEDURE FOR THE NOTIFICATION OF FARM WHEAT ACREAGE  
ALLOTMENTS AND NORMAL YIELDS AND CONSIDERATION OF  
APPEALS IN CONNECTION WITH THE 1940 AGRICULTURAL  
CONSERVATION PROGRAM

JUN 15 1939 ★

PART I.-- PROCEDURE FOR THE NOTIFICATION OF FARM WHEAT ACREAGE  
ALLOTMENTS AND NORMAL YIELDS.

Producers shall be notified of wheat acreage allotments and yields on form NCR-412W, "Notification of 1940 Wheat Acreage Allotment and Normal Yield." The original of NCR-412W and a sufficient number of carbon copies thereof, shall be prepared so that one notice may be forwarded to each person having an interest in the crops on the farm and one retained in the county office. Forward the original NCR-412W to the owner of the farm, a copy to each other person who will have an interest in the crops on the farm in 1940, and place one copy in the county office file for the farm. The space provided for the operator is for the convenience of the county committee. It may be well to indicate whether the operator, whose name is entered, is the 1939 or the 1940 operator of the farm.

Care should be taken to see that the date entered in the appropriate space is the date when such NCR-412W is to be mailed and that the information entered on the form agrees with the data on the listing sheet.

In those counties in which wheat yields are determined for crop insurance, the yields so established will be used for the purposes of the crop insurance program, the price adjustment program, and the 1940 Agricultural Conservation Program and will be entered in the appropriate space. In counties in which crop insurance yields are not determined for all farms, the space provided for the normal yield on the form will be left blank and the wheat yields for such farms will be determined at the time the 1940 productivity indexes are determined.

Each allotment notification prepared for a new wheat farm shall have the following statement typed under the space provided for the signature of the county chairman:

"It shall be understood that your wheat acreage allotment will be the smaller of (1) the allotment computed for the farm as shown above, or (2) the acreage devoted to wheat on the farm in 1940."

PART II.-- PROCEDURE FOR HANDLING APPEALS.

The appeals procedure set forth in NCR-313 and used in connection with the 1939 Agricultural Conservation Program shall be applicable to the 1940 wheat acreage allotments and normal yields.



